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"PATENT"

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	Before the Examiner
Angela J. Keeney, et al.	)	Ellen M. McAvoy
U. S. Serial No. 10/678,468	)	Confirmation Number: 3346
Filed: October 3, 2003	)	Group Art Unit: 1764
HIGH VISCOSITY INDEX WIDE-	)	
TEMPERATURE FUNCTIONAL FLUID	)	Family Number: P2002J112 US2
COMPOSITIONS AND METHODS FOR	)	
THEIR MAKING AND USE	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

CLAIM REJECTIONS 35 USC 103

All the independent claims have a limitation of a functional fluid comprising a base stock with a pour point of less than -35°C. This is an important limitation that Examiner has missed. The Examiner has stated, "Murphy does disclose in columns 9-10 formulated blends containing the inventive base stocks having viscosity indices ranging from 219 to 233 and pour points ranging from -46°C to -68°C which meet the limitations of the claims." This statement is not correct. The pour points ranging from -46°C to -68°C are for fully formulated blends but the claims are for base stocks with a

## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the  
Commissioner for Patents facsimile number 1-571-273-8300 on the date shown below.

Susan Fleming  
Print name of person signing certification

*Susan Fleming*  
Signature

August 17, 2007  
Date



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